



NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS COUNCIL

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October 3, 2012

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

Re: WT Docket No. 12-64, WT Docket No. 11-110

Dear Ms. Dortch:

The National Public Safety Telecommunications Council (NPSTC) is a federation of public safety organizations whose mission is to improve public safety communications and interoperability through collaborative leadership. NPSTC pursues the role of resource and advocate for public safety organizations in the United States on matters relating to public safety telecommunications. Accordingly, NPSTC provides guidance on issues that can either negatively impact or benefit the operation of public safety communications.

NPSTC submits these ex parte comments in the above-captioned proceedings. NPSTC supports the request of Orange County, California that wideband operations not be allowed in the 800 MHz Enhanced Specialized Mobile Radio (ESMR) spectrum in the relevant National Public Safety Planning Advisory Committee (NPSPAC) region in the U.S.-Mexico area until reconfiguration is completed in that region.<sup>1</sup> Prior to completion of that reconfiguration (“rebanding”) in a given NPSPAC region or affected adjacent regions, public safety licensees will be present in a portion of the spectrum now designated for ESMR operation. However, once the 800 MHz rebanding is completed, that should not be the case.

Previous NPSTC comments in this proceeding advised:

NPSTC recommends the Commission allow commercial wideband or broadband operations to be deployed in the ESMR bands only in regions in which rebanding of the 800 MHz NPSPAC channels has been completed and where such wideband use would

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<sup>1</sup> Petition for Reconsideration and Informal Interference Complaint Regarding AT&T Mobility and Sprint Nextel, submitted by the County of Orange, California in WT Docket No. 12-64 and WT Docket No. 11-110, July 6, 2012 at page 2.

not interfere with public safety NPSPAC operations not yet rebanded in adjacent regions.<sup>2</sup>

The Commission subsequently adopted a Report and Order in the above-captioned proceeding that modified the rules to allow ESMR licensees to deploy wideband technologies such as CDMA in the portion of the 800 MHz band designated for ESMR operations.<sup>3</sup> Under those rules, authorization for such wideband deployments is withheld in the 821-824/866-869 MHz portion of the ESMR spectrum in any NPSPAC region until all public safety licensees in the NPSPAC region are reconfigured, i.e., relocated out of that spectrum. The rules adopted further require ESMR licensees planning to deploy wideband technology to notify any public safety licensee in the NPSPAC region and any public safety licensee within 70 miles of an affected NPSTC region, at least 30 days in advance of its intent to begin wideband operations.

Orange County has indicated that early testing being allowed prior to completion of 800 reconfiguration has or will cause interference and that the notifications being provided are not sufficiently detailed. Orange County therefore requests the rules be considered. NPSTC notes that the Association of Communications Officials-International, Inc. (APCO) and the San Diego County, CA Sheriff's Department also recently submitted comments in support of Orange County's petition.<sup>4</sup> NPSTC joins APCO and the Sand Diego Sheriff's Department in that support.

While NPSTC does not oppose wideband use in the ESMR spectrum, we believe the Commission should ensure that its deployment does not cause harmful interference to public safety operations. To the extent the provisions in the Commission's Report and Order in this proceeding are not being met, or for some reason do not provide protection against harmful interference as wideband operations in ESMR spectrum are being implemented in the market, NPSTC agrees with Orange County that the decision should be reviewed and reconsidered to see how improvements in the process can be made.

Respectfully submitted,



Ralph A. Haller, Chair  
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<sup>2</sup> NPSTC Comments, WT Docket No. 11-110, August 1, 2011 at page 1.

<sup>3</sup> Report and Order, WT Docket No. 12-64 and WT Docket No. 11-110, released May 24, 2012 at page 17.

<sup>4</sup> APCO Comments, WT Docket No. 12-64 and WT Docket NO. 11-110, September 16, 2012; Comments of the San Diego County Sheriff's Department, WT Docket No. 12-64 and WT Docket NO. 11-110, September 18, 2012